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*Attorneys for Debtor*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

In Re:	§	
	§	
Lubbock, Texas - Highland Medical Center, L.P.,	§	Case No. 08-50202-rlj-11
	§	Chapter 11
<i>Debtor.</i>	§	

**MOTION TO DISMISS CHAPTER 11 CASE**

TO THE HONORABLE ROBERT L. JONES, Bankruptcy Judge:

NOW COMES, Lubbock, Texas - Highland Medical Center, L.P., Debtor in the above-captioned Chapter 11 proceeding ("Debtor"), and files this its Motion to Dismiss Chapter 11 Case, and in support thereof, would respectfully show unto the Court as follows:

1. The Debtor filed for relief under Chapter 11 of the Bankruptcy Code on May 31, 2008.
2. The Debtor seeks to dismiss its bankruptcy case pursuant to the provisions of 11 U.S.C. Section 1112(b) and Bankruptcy Rule 1017.
3. The Debtor seeks to dismiss its Chapter 11 case for the reason that it has liquidated all of its assets and has essentially disbursed all funds in its possession.

WHEREFORE, PREMISES CONSIDERED the Debtor prays that the Court dismiss its Chapter 11 case, and seeks such other and further relief as the Court may deem necessary and proper.

Dated: March 13, 2009

Respectfully submitted,

McWHORTER, COBB & JOHNSON, LLP  
P.O. Box 2547  
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806/762-0214; 806/762-8014 (FAX)

/s/ Max R. Tarbox  
Max R. Tarbox  
State Bar No. 19639950  
ATTORNEY FOR DEBTOR

PURSUANT TO SECTION 102 OF THE BANKRUPTCY CODE, YOU ARE GIVEN UNTIL **APRIL 2, 2009** TO FILE YOUR WRITTEN OBJECTION TO THIS MOTION WITH THE BANKRUPTCY CLERK, ROOM 306, FEDERAL BUILDING, 1205 TEXAS AVENUE, LUBBOCK, TEXAS 79401. IF NO WRITTEN OBJECTIONS ARE FILED BY THAT DATE, THE COURT MAY ACT UPON THE MATTER WITHOUT FURTHER NOTICE. IF WRITTEN OBJECTIONS ARE FILED, THE MATTER WILL BE SET FOR HEARING BEFORE THE BANKRUPTCY JUDGE WITH NOTICE GIVEN ONLY TO THE OBJECTING PARTIES.

#### **CERTIFICATE OF SERVICE**

I, Max R. Tarbox, do hereby certify that a true and correct copy of the foregoing Motion to Dismiss Case was served by either court enabled electronic service or regular first class U. S. mail upon the following listed parties on this 13<sup>th</sup> day of March, 2009:

1. U.S. Trustee's Office  
Rm 976, 1100 Commerce Street  
Dallas, Texas
2. All parties in interest registered with the  
U. S. Bankruptcy Court to receive electronic  
notices in this case.
3. All creditors and parties in interest listed  
on the attached mailing matrix.

/s/ Max R. Tarbox  
Max R. Tarbox